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| 8  | UNITED STATES DISTRICT COURT   |  |  |
| 9  | FOR THE EASTERN DISTRICT OF CALIFORNIA   |  |  |
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| 11 | SEAVON PIERCE,   | No. 1:16-cv-01282-DAD-MJS (PC)                                   |  |
| 12 | Plaintiff,   |  |  |
| 13 | v.   | ORDER DISMISSING ACTION FOR<br>PLAINITFF'S FAILURE TO PAY FILING |  |
| 14 | U.S. CONGRESS,   | <u>PLAINTIFF S FAILURE TO PAY FILING</u><br>FEE                  |  |
| 15 | Defendant.   | (Doc. No. 17)  |  |
| 16 |  | CLERK TO TERMINATE MOTIONS AND CLOSE CASE                        |  |
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| 19 | Plaintiff is a state prisoner proceeding pro se in a civil action. The matter was referred to          |  |  |
| 20 | a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302 of the        |  |  |
| 21 | United States District Court for the Eastern District of California.                                   |  |  |
| 22 | On September 13, 2016, and September 30, 2016, the assigned magistrate judge issued                    |  |  |
| 23 | findings and recommendations recommending that plaintiff's motion to proceed in forma                  |  |  |
| 24 | <i>pauperis</i> be denied. (Doc. Nos. 4 and 8.) On November 23, 2016, the undersigned adopted those    |  |  |
| 25 | findings and recommendations, denied plaintiff's motion to proceed in forma pauperis, and              |  |  |
| 26 | ordered plaintiff to pay the \$400 filing fee in full within thirty days. (Doc. No. 17.) Plaintiff was |  |  |
| 27 | cautioned that his failure to comply with that order would result in dismissal of this action. (Id. at |  |  |
| 28 | 2.)  | 1  |  |

| 1  | The thirty day deadline has passed without plaintiff either paying the filing fee or seeking         |                              |
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| 2  | an extension of time to do so. Accordingly, pursuant to Local Rule 110, this action is hereby        |                              |
| 3  | dismissed without prejudice due to plaintiff's failure to pay the required filling fee. The Clerk is |                              |
| 4  | directed to terminate all pending motions and close this case.                                       |                              |
| 5  | IT IS SO ORDERED.  |                              |
| 6  | Dated:   | Dale A. Drogd                |
| 7  |  | UNITED STATES DISTRICT JUDGE |
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